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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JetBlue Airways Corporation,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	<u>COMPLAINT</u>
	:	
Jet.com Inc., Walmart Inc., and Walmart Apollo, LLC	:	JURY TRIAL DEMANDED
	:	2019 Civ. ____ ()
Defendants.	:	
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Plaintiff JetBlue Airways Corporation (“JetBlue”), by its undersigned counsel, as and for its Complaint against Jet.com Inc. (“Jet.com”), Walmart Inc. (“Walmart”), and Walmart Apollo, LLC (“Apollo” and, collectively, “Defendants”), alleges as follows:

NATURE OF THE ACTION

1. JetBlue is a household name. The JETBLUE trademark has nearly unparalleled recognition throughout the United States and especially here in New York, where the company is headquartered. Thanks to substantial efforts and investments over the past two decades, the JetBlue brand and JETBLUE trademark and variations thereof (collectively, the “JETBLUE Marks”) are now famous, and signify myriad goods and services, including travel, transportation,

entertainment and retail services, emanating from JetBlue. That hard-earned reputation and valuable goodwill belongs exclusively to JetBlue. It is now threatened by Defendants' conduct.

2. Defendants are unlawfully impairing the distinctiveness of the JetBlue brand and the JETBLUE Marks. Defendants have adopted a confusingly similar and dilutive mark, JETBLACK (the "Infringing Mark"), which they use for concierge services, e-commerce retail sales, physical retail and pop-up retail experiences, and recommendations for experiences, destinations and restaurants. Defendants intend to further infringe and dilute the JETBLUE Marks by adopting additional JET+color names including JETGOLD and JETSILVER, and to move closer to JetBlue's core services by offering travel and transportation services.

3. The JETBLACK sales and concierge service, which was founded within the incubation arm of Walmart, is part of a well-publicized effort by defendant Walmart, a multinational corporation, to appeal to a new customer base outside of brick and mortar retail in order to increase profits and appease investors. As such, the JETBLACK service has already received, and will continue to receive, extensive promotional and other support from its behemoth backer, Walmart. This plan for expansion—paired with the confusing similarities between JETBLUE and JETBLACK—is likely to cause significant consumer confusion and dilution of the JETBLUE brand in the United States and around the world. It is a transparent attempt to trade on the goodwill associated with the JETBLUE Marks.

4. Defendants' use of the Infringing Mark violates Sections 32, 43(a) and 43(c) of the Lanham Act, 15 U.S.C. §§ 1114(1)(a), 1125(a) and 1125(c), along with NY. Gen. Bus. Law § 360-1 and New York State common law, because, *inter alia*, it is likely to cause consumers to mistakenly believe that goods and services offered under the Infringing Mark emanate from or are associated with JetBlue and to dilute JetBlue's famous JETBLUE Marks.

5. JetBlue therefore seeks injunctive relief preventing further infringement of its rights in the JETBLUE Marks and damages for the harm caused to it and to the value and reputation associated with the JETBLUE Marks.

THE PARTIES

6. Plaintiff JetBlue is a corporation organized under the laws of Delaware that maintains its principal place of business at 27-01 Queens Plaza North, Long Island City, NY 11101.

7. Upon information and belief, defendant Jet.com is an online retailer organized under the laws of Delaware with its principal place of business in Hoboken, NJ. Jet.com sells and ships a wide range of retail products through its website <https://jet.com>.

8. Upon information and belief, defendant Walmart is a multinational retail corporation organized under the laws of Delaware with its principal place of business in Bentonville, Arkansas. On information and belief, Walmart operates an international chain of retail and grocery stores.

9. Upon information and belief, defendant Apollo is a Delaware limited liability company with its principal place of business in Bentonville, Arkansas. Upon information and belief, Apollo is the intellectual property holding company of Walmart.

10. Upon information and belief, defendant Jet.com became a wholly-owned subsidiary of defendant Walmart as of September 2016.

JURISDICTION AND VENUE

11. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331, 1332 and 1338(a), and pursuant to 15 U.S.C. §§ 1114(1), 1121(a) and 1125, as the trademark claims arise under the Federal Trademark Act (the “Lanham Act”) of July 5, 1946, as amended 15 U.S.C. § 1051 *et seq.* The Court has subject matter jurisdiction over the claims arising under state law pursuant to 28 U.S.C. § 1367.

12. This Court has personal jurisdiction over Defendants pursuant to New York Civil Practice Law and Rules (“CPLR”) § 301 because Defendants regularly solicit business in New York, have retail locations, and, on information and belief, have employees in New York. This Court has personal jurisdiction over Defendants pursuant to CPLR § 302(a)(1) because Defendants transact business in New York, including, without limitation, by: offering physical retail (“pop up”) stores in New York; maintaining websites that are accessed by New York consumers; shipping products to New York; and advertising products and services to consumers who reside in New York. This Court also has personal jurisdiction over Defendants under CPLR § 302(a)(2)-(3) because their unlawful acts—committed both within and outside of New York—cause injury to JetBlue within New York, including by confusing New York consumers and undermining the reputation and goodwill earned by the JETBLUE Marks and brand in New York, where JetBlue is headquartered.

13. Venue is proper in this district under 28 U.S.C. § 1391(b) because a substantial part of the events and/or omissions which give rise to the claim occurred within this judicial District and/or a substantial part of the property that is the subject of this action is located within this judicial district.

RELEVANT FACTS

14. JetBlue is an international airline headquartered in the State of New York. It currently operates flights throughout the United States as well as in Mexico, the Caribbean, Latin America and South America, and serves hundreds of additional international destinations through its partner airlines.

15. JetBlue is the sixth largest passenger carrier in the United States, flying an average of 1,000 daily flights and carrying over 42 million customers per year.

16. JetBlue has used the JETBLUE Marks in U.S. interstate commerce in a highly prominent manner in connection with air travel and numerous other goods and services since at least as early as 1999, as further described below.

JetBlue's Trademark Registrations

17. JetBlue is the original creator of the JETBLUE Marks, which uniquely combine the term “jet” with the color word “blue.”

18. JetBlue owns forty-three federal trademark registrations for the JETBLUE Marks, which are comprised of the term JETBLUE or the term JETBLUE in combination with another word or words and/or design (the “JETBLUE Registrations”). Many of these registrations are incontestable.



19. The JETBLUE Registrations include the following:

Trademark	Filing Date	Registration No.	Goods and Services
JETBLUE	July 9, 1999	2,449,988	Class 39: Transportation of passengers, parcels, freight and cargo by air; providing information about air transportation via a website on a global computer network; travel agency services, namely, making reservations and bookings for transportation; airline passenger services in the nature of a frequent flyer program
JETBLUE	August 29, 2005	3,786,241	Class 41: Providing on-line, magazines and journals in the fields of transportation and travel
JETBLUE	December 31, 2008	3,651,034	Class 9: Earphones
JETBLUE	December 16, 2005	3,403,219	Class 35: Advertising services, namely, promoting the goods and services of others, including travel services, credit card use, car rentals, and hotel accommodations; retail and online retail store services featuring convenience items for travelers and general merchandise
JETBLUE	August 30, 2005	3,493,916	Class 18: All-purpose carrying bags; travel bags; backpacks; all-purpose athletic bags; carry-all bags; tote bags; umbrellas
JETBLUE	August 29, 2005	3,522,768	Class 16: Printed publications, namely, booklets in the fields of transportation and travel; pens, note books

JETBLUE	August 30, 2005	3,331,434	Class 25: Clothing for men, women and children, namely, polo shirts, golf shirts, t-shirts, sweaters, sweat shirts, hats, jackets, baby bibs composed of cloth and/or plastic, baby bonnets, one-piece clothing for babies
JETBLUE	August 30, 2005	3,331,433	Class 21: Cups; coffee cups and mugs; thermal insulated containers for beverages; sports bottles sold empty
JETBLUE	December 16, 2005	3,331,792	Class 39: Providing travel information services featuring travel offers and vacation travel tour activities Class 43: Providing travel lodging information services and travel lodging booking agency services for travelers; providing catering of foods and drinks
JETBLUE	August 30, 2005	3,326,608	Class 28: Toy vehicles; model airplanes

JETBLUE	February 16, 2016	5,187,852	Class 35: Business advisory services, consultancy and information; business consulting, namely, promoting the interests of parties or organizations offering start-up accelerator programs and start-up development; Incubation services, namely, business management consulting and advisory services therefor in the areas of corporate formation, funding strategy, corporate growth strategy, innovation and growth processes, organizational transformation, and talent management and development strategies; Business management consulting services in the aviation, transportation and hospitality industries; Business management services, namely, aviation, transportation and hospitality operations and management consulting
JETBLUE	February 16, 2016	5,187,853	Class 36: Investment services, namely, venture capital funding services to emerging and start-up companies
JETBLUE	February 16, 2016	5,187,854	Class 41: Education, namely, conducting classes, seminars, conferences and workshops in the fields of entrepreneurship, transportation, aviation and hospitality; providing training in the fields of entrepreneurship, transportation, aviation and hospitality; Entertainment services in the nature of arranging, organizing, conducting and hosting social entertainment events

JETBLUE	October 7, 2016	5,146,836	Class 9: Downloadable mobile applications for making and checking reservations, searching fares, making travel arrangements, accessing boarding passes, providing information and updates in the fields of travel, transportation and loyalty award programs, ticketing passengers and checking flight status
jetBlue	May 21, 2004	3,163,121	Class 39: Transportation of passengers, parcels, freight by air; providing information about air transportation via a website on a global computer network; making reservations and bookings for transportation; airline passenger services in the nature of a frequent flyer program
JETBLUE AIRWAYS	July 9, 1999	2,451,955	Class 39: Transportation of passengers, parcels, freight and cargo by air; providing information about air transportation via a website on a global computer network; travel agency services, namely, making reservations and bookings for transportation; airline passenger services in the nature of a frequent flyer program
JETBLUE CARD	December 16, 2005	3,331,799	Class 36: Financial services, namely, providing credit card services
JETBLUE CARD	December 16, 2005	3,331,800	Class 35: Promoting the sale of credit card accounts through the administration of incentive award programs

JETBLUE FOR GOOD	September 29, 2016	5,197,492	Class 35: Promoting public interest and awareness of environmental matters; Charitable services, namely, organizing and conducting volunteer programs and community service projects
JETBLUE FOR GOOD	September 29, 2016	5,201,875	Class 36: Charitable fundraising services
JETBLUE FOR GOOD	September 29, 2016	5,197,493	Class 41: Charitable services, namely, providing books to children; Charitable services, namely, conducting educational activities in the nature of programs, classes, seminars, conferences and workshops aimed at instructing and educating children for careers in the field of aviation
JETBLUE MINT	September 3, 2013	4,638,226	Class 39: Airline transportation services
	September 3, 2013	4,638,227	Class 39: Airline transportation services
	September 3, 2013	4,638,228	Class 39: Airline transportation services
JETBLUE PARK	February 3, 2014	4,639,929	Class 41: Entertainment services, namely, providing stadium and athletic field facilities for sporting and entertainment events; hosting of private corporate social events and individual social events

JETBLUE PILOT GATEWAY PROGRAMS	March 4, 2016	5,257,186	Class 41: Providing of training and instruction for flight personnel; providing of training, namely, arranging and conducting classes, courses, seminars, workshops, tutoring, internships and mentoring in the field of air transportation; developing and updating educational courses and study programs for staff in the field of air transportation; Developing and updating training manuals, user handbooks and user guides, maintenance manuals, technical documentation and technical data sheets, process manuals and flight operation manuals for staff in the field of air transportation
JETBLUE TECHNOLOGY VENTURES	February 16, 2016	5,187,855	Class 35: Business advisory services, consultancy and information; business consulting, namely, promoting the interests of parties or organizations offering start-up accelerator programs and start-up development; Incubation services, namely, business management consulting and advisory services therefor in the areas of corporate formation, funding strategy, corporate growth strategy, innovation and growth processes, organizational transformation, and talent management and development strategies; Business management consulting services in the aviation, transportation and hospitality industries; Business management services, namely, aviation, transportation and hospitality operations and management consulting

JETBLUE TECHNOLOGY VENTURES	February 16, 2016	5,187,856	Class 36: Investment services, namely, venture capital funding services to emerging and start-up companies
JETBLUE TECHNOLOGY VENTURES	February 16, 2016	5,187,857	Class 41: Education, namely, conducting classes, seminars, conferences and workshops in the fields of entrepreneurship, transportation, aviation and hospitality; providing training in the fields of entrepreneurship, transportation, aviation and hospitality; Entertainment services in the nature of arranging, organizing, conducting and hosting social entertainment events
JETBLUE VACATIONS	July 7, 2016	5,238,204	Class 39: Travel services, namely, making reservations and bookings for transportation and vehicle rentals; transportation services featuring a frequent flyer bonus program; providing information about transportation, vehicle rentals and special travel offers via a global computer network; coordinating travel arrangements for individuals and for groups
JETBLUE VACATIONS	July 7, 2016	5,242,835	Class 43: Providing travel lodging information services and travel lodging booking agency services for travelers

jetBlue vacations	December 8, 2016	5,388,043	Class 39: Travel services, namely, making reservations and bookings for transportation and vehicle rentals; air transportation services featuring a frequent flyer bonus program; providing automated check-in and ticketing services for air travelers; providing information about transportation, vehicle rentals and special travel offers via a global computer network; coordinating travel arrangements for individuals and for groups
jetBlue vacations	December 8, 2016	5,388,044	Class 43: Providing travel lodging information services and travel lodging booking agency services for travelers
jetBlue vacations	December 8, 2016	5,388,045	Class 39: Travel services, namely, making reservations and bookings for transportation and vehicle rentals; air transportation services featuring a frequent flyer bonus program; providing automated check-in and ticketing services for air travelers; providing information about transportation, vehicle rentals and special travel offers via a global computer network; coordinating travel arrangements for individuals and for groups
jetBlue vacations	December 8, 2016	5,388,046	Class 43: Providing travel lodging information services and travel lodging booking agency services for travelers

20. In addition to the JETBLUE Registrations, JetBlue owns over one hundred and twenty trademark registrations and pending applications in thirty-two international territories for the JETBLUE Marks. These include, but are not limited to, registrations and pending applications in Canada, Mexico, European Union, Norway, Switzerland, Turkey, Russia, China, United Arab Emirates, Dominican Republic, Cuba, and many other international territories.

21. The JETBLUE Registrations are valid, subsisting and in full force and effect.

22. The JETBLUE Registration Nos. 2,449,988, 3,786,241, 3,651,034, 3,403,219, 3,493,916, 3,522,768, 3,331,434, 3,331,433, 3,331,792, 3,326,608, 3,163,121, 3,163,120, 2,451,955, 3,331,799, 3,331,800, 2,947,348, 3,052,759, and 2,971,984 are incontestable within the meaning of 15 U.S.C. §§ 1115(b) and 1065 and constitute conclusive evidence of the validity of the subject marks thereof and the registrations therefor and of JetBlue's exclusive right to use those marks in connection with the goods and services set forth in those registrations.

23. The JETBLUE Registration Nos. 5,187,852, 5,187,853, 5,187,854, 5,146,836, 4,289,126, 5,197,492, 5,201,875, 5,197,493, 4,638,226, 4,638,227, 4,638,228, 4,639,929, 5,257,186, 5,187,855, 5,187,856, 5,187,857, 5,238,204, 5,242,835, 5,388,043, 5,388,044, 5,388,045, 5,388,046, 4,338,485, 4,338,484, 4,572,490, and 4,338,483 constitute *prima facie* evidence of their validity and of JetBlue's right to use the corresponding JETBLUE Marks pursuant to 15 U.S.C. §1057(b).

24. As a result of JetBlue's extraordinary investment, efforts, and success, the JETBLUE Marks are famous in the U.S. and abroad. In a series of decisions after successful *inter partes* proceedings from 2014 to 2018, the Trademark Offices of Chile, South Korea and Cuba all noted the international fame and notoriety of the JETBLUE Marks.

JetBlue's Use of its JETBLUE Marks

25. JetBlue uses the JETBLUE Marks in connection with a variety of goods and services beyond air transportation, including but not limited to: retail sales, online retail shopping, pop-up retail experiences, travel agency services, mobile applications (“apps”), credit card services, entertainment services, sports events and facilities, printed publications, online magazines, venture capital services, charitable fundraising, education programs, and business consultancy, among others.

26. JetBlue has a long history of merchandising using the JETBLUE Marks on various branded products including, but not limited to, clothing, bags, toys and earphones.

27. JetBlue uses and has rights in the JETBLUE Marks for an online retail site <http://shopjetblue.com> that is a key component of its brand. Through this site consumers can purchase a wide variety of branded and third party retail goods such as apparel, bags, decorations, drinkware, tech accessories, pet equipment, and many others.

28. Under the JETBLUE Marks, JetBlue also operates brick and mortar retail locations including, but not limited to, pop up stores and pop-up retail experiences. JetBlue's rights in and to the JETBLUE Marks for retail store services date back to at least as early as the year 2001.

29. Additionally, JetBlue uses and has rights in the JETBLUE Marks for online retail sales dedicated to third party products. JetBlue's site <https://shoptrue.jetblue.com/> is an online shopping mall of third party websites that include, among others, Walmart and Jet.com. When consumers purchase items otherwise available from Walmart and Jet.com on JetBlue's retail site, they get certain discounts provided by JetBlue and earn loyalty points with JetBlue.

30. JetBlue also uses the JETBLUE Marks for concierge-type services, including arranging and advising on travel and other recreational activities. In connection with the JETBLUE Marks, JetBlue suggests trip ideas and travel destinations, reviews activities in various locations, recommends restaurants, and consults on a variety of other experiences.

31. JetBlue uses the JETBLUE Marks in connection with a JETBLUE-branded credit card, which allows consumers to earn loyalty points for purchases, including two times the points for dining out at restaurants. See <https://cards.barclaycardus.com/cards/jetblue-card.html>.

32. The JETBLUE Marks also have high visibility in connection with sports and entertainment. “JETBLUE PARK,” the training facility for the Boston Red Sox, hosts both private occasions (such as corporate dinners, parties, or fundraisers), as well as public events like car shows and a weekly farmer’s market.

33. JetBlue is the official airline of the New York Jets and Boston Red Sox, the latter of which holds its spring training at JetBlue Park where JETBLUE PARK signage appears throughout the field and stadium.

34. JetBlue’s JETBLUE-branded “Live From T5 Concert Series,” held inside its terminal at JFK Airport in New York, has featured popular artists including Taylor Swift, Sarah McLachlan and Ellie Goulding.

35. The JETBLUE Marks frequently appear in popular culture. As one example, the JETBLUE Marks appeared on the television series Modern Family’s “Las Vegas” episode seen by over 15 million viewers.

36. JetBlue also regularly uses its JETBLUE marks as it engages in high-profile sponsorships related to entertainment including, for example, sponsorships of theater (American Repertory Theater), entertainment venues (Barclay's Center), museums (American Museum of Natural History), and sports (Boston Red Socks, Brooklyn Nets, Florida Panthers). A full list of JetBlue's current sponsorships is available here: <https://www.jetblue.com/about/sponsorships/>.

37. JetBlue is committed to philanthropy and corporate social responsibility and the JETBLUE Marks are used extensively for these projects. Among many other high-profile initiatives, JetBlue covered flights for family members of those affected by the Orlando nightclub shooting, sent 1.5 million pounds of relief supplies and provided more than 1,100 seats to emergency personnel traveling to Puerto Rico after Hurricane Maria, and brought a literacy program that provided vending machines full of books to Houston as the city recovered from the impact of Hurricane Harvey. The JETBLUE FOR GOOD program focuses on giving in the areas of youth and education, community and the environment. Additionally, the JETBLUE FOUNDATION brings aviation-related education to lower-income neighborhoods and schools and is committed to championing diversity in STEM education.

38. JetBlue has invested millions of dollars in the advertising and promotion of the JETBLUE Marks across all these goods and services as well as others, and, as a result, the JETBLUE trademark has become a household name.

39. The company engages in traditional print advertising, online advertising, social media and public relations featuring the JETBLUE Marks. In the last two years, JetBlue has spent over \$500 million on marketing investments around the world.

40. A single JetBlue advertising campaign can receive hundreds of millions of media impressions in the United States alone. In 2018, JetBlue received 1.5 billion paid media impressions.

41. JetBlue also has an extensive online presence. JetBlue's websites generate an average of 3 million daily page views. JetBlue's social media presence connects it with millions of users through a variety of platforms.

42. As a reflection of its status as an extremely popular and well-known brand, JetBlue realized revenue of \$7 billion in 2017 and \$7.7 billion in 2018.

43. In recognition of its enormous popularity with customers, as well as its outstanding services, JetBlue has received numerous awards. Notably, JetBlue has been named #1 in the United States among the World's Top 10 Airlines for Branding and Desirability. A comprehensive list of the awards that JetBlue has received to date is attached as Exhibit A.

44. By virtue of JetBlue's significant presence in the airline industry and throughout American culture, its widespread and significant investments in advertising and marketing, its tremendous revenues and extensive use of its marks throughout the United States, the JETBLUE Marks have become well-known, famous and synonymous with JetBlue's goods and services, and have come to identify and indicate JetBlue sponsored or approved goods and services to consumers. As a result of JetBlue's efforts, the JETBLUE Marks have developed substantial goodwill and have an excellent reputation among actual and potential purchasers of the various goods and services which have borne the JETBLUE Marks.

Defendants Seek To Register The Infringing Mark For Broad Uses

45. In May 2017, Defendants filed applications to register the trademark JET BLACK (using two separate words) in the United States and in multiple jurisdictions internationally. Many of these applications were filed in jurisdictions where JetBlue has prior rights in the JETBLUE Marks, either through use, trademark registrations, or the international fame of those marks.

46. Defendants' trademark filings indicate that they intend to use the marks in connection with a broad range of goods and services, including, among others: the transportation of people; recommending entertainment options such as restaurants, destinations, stores, sports events, and concerts; booking activities, entertainment and experiences; retail sales of products to consumers; and others. And, at least one of the JET BLACK applications covers the entire International Class 39, which includes the transportation of passengers by air.

47. Moreover, although Defendants' trademark applications sought protection for JET BLACK with a space, they are using JETBLACK as one word rather than two separate words. Consistent with this, Defendants have supplemented their trademark applications in the U.S. for JET BLACK with new filings that remove the space between "jet" and "black".

48. Defendants also recently filed intent-to-use trademark applications for the trademarks JETGOLD and JETSILVER. Those applications cover, among other products and services, software for online retail store services, promoting the sale of the goods and services of others, order fulfillment services, and a customer loyalty and incentive program for retail consumers.

49. These applications and broad uses have the backing of Walmart, which arranged a high-profile debut for the JETBLACK service in May 2018.¹ Upon information and belief, defendant Walmart launched the JETBLACK service as part of a larger effort to compete with Amazon.com.²

Defendants' Infringing Acts

50. Defendants are offering, *inter alia*, concierge services, e-commerce retail sales, physical retail services, and recommendations for dining, travel, and other experiences under the Infringing Mark. These JETBLACK-branded goods and services are the same as, similar, or related to goods and services offered by JetBlue under its JETBLUE Marks.

51. For example, Defendants, through their JETBLACK concierge service, sell a wide range of retail products, which service necessarily overlaps with JetBlue's own JETBLUE-branded retail sales. Defendants are offering JETBLACK physical retail and pop-up retail experiences, just as JetBlue does under the JETBLUE Marks. Defendants appear to be merchandising the Infringing Mark and offering branded products, including the same types of

¹ See, e.g. "Shopping by text message: Walmart rolls out Jetblack, a members-only service" available at <https://www.cnn.com/2018/05/31/text-to-order-walmart-rolls-out-jetblack-a-members-only-service.html> (last visited June 21, 2019); "Walmart Unveils a Concierge Shopping Service" available at <https://www.bloomberg.com/news/articles/2018-05-31/walmart-unveils-concierge-shopping-service-for-urban-families> (last visited June 21, 2019); "Walmart's new personal shopping services Jetblack launches in New York" available at <https://techcrunch.com/2018/05/31/walmart-jetblack-personal-shopper/> (last visited June 21, 2019); "Walmart is going high end with an invite-only personal shopping service – and it costs 6 times as much as Amazon Prime" available at <https://www.businessinsider.my/walmart-shopping-service-jetblack-costs-more-than-amazon-prime-2018-5/> (last visited June 21, 2019); See "Jetblack Launches in New York City for Busy Families, Delivering a Curated Shopping Experience that's One Text Away" available at <https://www.businesswire.com/news/home/20180531005395/en/Jetblack-Launches-New-York-City-Busy-Families> (last visited June 21, 2019).

² See, e.g. "Rent the Runway Founder's New Venture Will Help Walmart Battle Amazon," available at <http://observer.com/2018/06/jetblack-personal-shopping-venture-joins-walmart-amazon-battle/> (last visited June 21, 2019).

products as JetBlue, such as clothing and earphones.³ Defendants are recommending destinations, entertainment, landmarks, restaurants and experiences under the Infringing Mark. Defendants' concierge service also promotes experiences, entertainment and activities, including by providing recommendations for and information on the same.

52. Moreover, despite their obfuscation, Defendants clearly intend to use the Infringing Mark for goods and services covered by the JETBLUE Marks. Defendants have publicly described the broad goals of the JETBLACK service, which will initially target "time-strapped parents" but plans to "expand beyond this target consumer."⁴ Defendants have stated that the JETBLACK service is intended to be a nearly limitless concierge service: "[a]t its core, the mission of [JETBLACK] is to provide knowledgeable and curated recommendations with deep insights that are relevant and personalized to each member[.]"

53. Defendants sell their JETBLACK-branded goods and services in the same or overlapping channels of trade as JetBlue's products offered under its JETBLUE Marks, namely through the Internet, as well as in retail and pop-up stores.

54. The Infringing Mark is confusingly similar to the JETBLUE Marks, including in sight, sound and commercial impression. Like the JETBLUE Marks, the Infringing Mark is comprised of the word JET+ a single syllable color word beginning with the letter "b" and is presented as one word. Defendants' use of the Infringing Mark is likely to cause consumers to mistakenly believe that Defendants' goods and services emanate from or are otherwise associated with JetBlue.

³ See starting at 00:04 in the video at <https://www.jetblack.com> (last visited June 21, 2019).

⁴ "Rent the Runway Founder's New Venture Will Help Walmart Battle Amazon" available at <http://observer.com/2018/06/jetblack-personal-shopping-venture-joins-walmart-amazon-battle/> (last visited June 21, 2019).

Defendants' Infringing Acts are Likely to Cause Confusion and Dilution

55. JetBlue's rights in its JETBLUE Marks are prior to any trademark rights Defendants may have in the Infringing Mark for the products offered thereunder.

56. Defendants' use of the Infringing Mark began long after JetBlue first adopted the JETBLUE Marks for its goods and services, and is without authorization from JetBlue.

57. Such improper use of the Infringing Mark is likely to cause confusion, mistake or deception among the public as to the source of Defendants' goods and services.

58. Further, such improper use of the Infringing Mark is likely to dilute the JETBLUE Marks, including by impairing the distinctiveness of those marks.

59. Defendants knew of JetBlue's existing trademark rights in and to the JETBLUE Marks before they began using the Infringing Mark and before filing applications to register JETGOLD and JETSILVER marks.

60. On information and belief, Defendants commenced and have continued use of the Infringing Mark in bad faith.

61. On information and belief, Defendants are using the Infringing Mark in an attempt to trade on the enormous goodwill and fame associated with the JETBLUE Marks.

62. JetBlue has suffered and will continue to suffer irreparable damage to its reputation and goodwill and to the value of the JETBLUE Marks by reason of Defendants' use of the Infringing Mark.

63. Unless Defendants' acts are restrained by this Court, JetBlue will continue to suffer irreparable harm.

FIRST CLAIM FOR RELIEF
(For Federal Trademark Infringement of Marks Under 15 U.S.C. § 1114)

64. JetBlue repeats and realleges the allegations of Paragraphs 1 through 63 of this Complaint as if fully set forth herein.

65. Despite having knowledge of JetBlue's world famous and prior common law and federal statutory rights in the JETBLUE Marks, Defendants have adopted and used the Infringing Mark in connection with retail sales, entertainment, experiences, and other services that are associated with the JETBLUE Marks.

66. Defendants' use of the Infringing Marks without JetBlue's consent, in connection with the sale, offering for sale, distribution, or advertising of its products and services, is likely to cause confusion and mistake and to deceive consumers as to the source or origin of Defendants' goods and services and thereby infringes the JETBLUE Marks in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

67. Upon information and belief, Defendants' acts of infringement have been done willfully and deliberately and Defendants have profited and been unjustly enriched by sales that they would not otherwise have made but for their unlawful conduct.

68. Unless enjoined by the Court, Defendants will continue to infringe JetBlue's rights and to cause confusion, mistake, and deception, thereby causing immediate and irreparable injury, for which JetBlue has no adequate remedy at law.

69. JetBlue is entitled to an injunction restraining Defendants, their agents and employees, and all persons acting in concert with any one or more of them, from engaging in any of the foregoing acts or any further or different acts in violation of JetBlue's rights under Section 32 of the Lanham Act, 15 U.S.C. § 1114, pursuant to Section 34 of the Act, 15 U.S.C. § 1116.

70. JetBlue has suffered damages as a proximate result of the infringing acts of Defendants and is entitled to recover compensatory, statutory and punitive damages from Defendants in an amount to be determined at trial. JetBlue is further entitled to recover any profits from Defendants resulting from its acts of infringement, along with costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 1117.

SECOND CLAIM FOR RELIEF
(For Dilution of a Famous Mark Under 15 U.S.C. § 1125(c))

71. JetBlue repeats and realleges the allegations of Paragraphs 1 through 70 of this Complaint as if fully set forth herein.

72. The JETBLUE Marks are distinctive and famous trademarks within the meaning of the Trademark Anti-Dilution Act, 15 U.S.C. § 1125(c).

73. Defendants' activities as alleged herein constitute dilution of the distinctive quality of the brand and mark JETBLUE in violation of the Federal Trademark Dilution Act, § 1125(c).

74. Upon information and belief, Defendants' acts of trademark dilution have been done willfully and deliberately and Defendants have profited and been unjustly enriched by sales that they would not otherwise have made but for their unlawful conduct.

75. Unless enjoined by the Court, Defendants will continue to infringe JetBlue's rights and to dilute the JETBLUE Marks.

76. JetBlue is entitled to an injunction restraining Defendants, their agents and employees, and all persons acting in concert with any one or more of them, from engaging in any of the foregoing acts or any further or different acts in violation of JetBlue's rights under Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(c), pursuant to Section 34 of the Act, 15 U.S.C. § 1116.

77. JetBlue has suffered damages as a proximate result of the infringing acts of Defendants and is entitled to recover compensatory, statutory and punitive damages from Defendants in an amount to be determined at trial. JetBlue is further entitled to recover any profits from Defendants resulting from its acts of infringement, along with costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 1117.

THIRD CLAIM FOR RELIEF

(For False Designation of Origin and Federal Unfair Competition Under Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a))

78. JetBlue repeats and realleges the allegations of Paragraphs 1 through 77 of this Complaint as if fully set forth herein.

79. The JETBLUE Marks have acquired secondary meaning, as consumers have come to know, rely upon and recognize JetBlue's services by reference to the JETBLUE Marks, and JetBlue has established valuable goodwill in the JETBLUE Marks.

80. Defendants have marketed and offered goods and services covered by the JETBLUE Marks in connection with the Infringing Mark in commerce. This usage is likely to cause confusion, mistake, or deception as to the affiliation, connection, or association of Defendants with JetBlue, or as to the origin, sponsorship, or approval of Defendants' services among consumers or potential consumers of Defendants and/or JetBlue.

81. Defendants' actions constitute false designations of the origin of the services rendered in connection with the Infringing Mark. Such actions are likely to cause confusion, mistake, or deception among consumers as to Defendants' supposed affiliation, connection, or association with JetBlue, and to give the false or misleading impression as to the origin, sponsorship, or approval of Defendants' unauthorized use of the Infringing Mark in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a)(1).

82. Upon information and belief, Defendants' violations of Section 43(a) of the Lanham Act have been and are knowing, willful, intentional, and deliberate.

83. Unless enjoined by the Court, Defendants will continue to infringe JetBlue's rights and to cause confusion, mistake, and deception, thereby causing immediate and irreparable injury, for which JetBlue has no adequate remedy at law.

84. JetBlue is entitled to an injunction restraining Defendants, their agents and employees, and all persons acting in concert with any one or more of them, from engaging in any of the foregoing acts or any further or different acts in violation of JetBlue's rights under Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), pursuant to Section 34 of the Act, 15 U.S.C. § 1116.

85. JetBlue has suffered damages as a proximate result of the infringing acts of Defendants and is entitled to recover compensatory, statutory and punitive damages from Defendants in an amount to be determined at trial. JetBlue is further entitled to recover any profits from Defendants resulting from its acts of infringement, along with costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 1117.

FOURTH CLAIM FOR RELIEF
(For Common Law Trademark Infringement)

86. JetBlue repeats and realleges the allegations of Paragraphs 1 through 85 of this Complaint as if fully set forth herein.

87. The JETBLUE Marks have acquired secondary meaning, as consumers have come to know, rely upon and recognize JetBlue's services by reference to the JETBLUE Marks. Moreover, JetBlue has established valuable goodwill in the JETBLUE Marks.

88. Defendants' conduct has and threatens to continue to cause confusion, mistake, and/or deception in the minds of the members of the trade and the public.

89. Defendants' conduct, through its unauthorized use of the JETBLUE Marks and/or marks confusingly similar thereto including the Infringing Mark, is an infringement of and trades upon the favorable reputation and proprietary rights of JetBlue under the common law of New York.

90. Upon information and belief, Defendants' infringements have been and are knowing, willful, intentional, and deliberate and cause harm to the trade and the public at large.

91. Unless enjoined by the Court, Defendants will continue to infringe JetBlue's rights and to cause confusion, mistake, and deception, thereby causing immediate and irreparable injury, for which JetBlue has no adequate remedy at law.

92. JetBlue is entitled to an injunction restraining Defendants, their agents and employees, and all persons acting in concert with any one or more of them, from engaging in any of the foregoing acts or any further or different acts in violation of JetBlue's rights.

93. JetBlue has suffered damages as a proximate result of the infringing acts of Defendants and is entitled to recover damages from Defendants in an amount to be determined at trial.

94. JetBlue is entitled to recover punitive damages from Defendants in an amount to be determined at trial.

FIFTH CLAIM FOR RELIEF
(For Common Law Unfair Competition)

95. JetBlue repeats and realleges the allegations of Paragraphs 1 through 94 of this Complaint as if fully set forth herein.

96. The JETBLUE Marks have acquired secondary meaning, as consumers have come to know, rely upon and recognize JetBlue's services by reference to the JETBLUE Marks, and JetBlue has established valuable goodwill in the JETBLUE Marks and JetBlue businesses operating under the JETBLUE Marks.

97. Defendants' conduct constitutes misappropriation of the goodwill created and developed by JetBlue in its business, the JETBLUE Marks, and JetBlue's status as the sole purveyor of certain goods and services under the JETBLUE Marks or other marks confusingly similar thereto.

98. Upon information and belief, Defendants' acts of unfair competition have been and are knowing, willful, intentional, and deliberate and cause harm to the trade and the public at large.

99. Unless enjoined by the Court, Defendants will continue to engage in unfair competition in violation of JetBlue's rights and to cause confusion, mistake, and deception, thereby causing immediate and irreparable injury, for which JetBlue has no adequate remedy at law.

100. JetBlue is entitled to an injunction restraining Defendants, their agents and employees, and all persons acting in concert with any one or more of them from engaging in any of the foregoing acts or any further or different acts in violation of JetBlue's rights.

101. JetBlue has suffered damages as a proximate result of the infringing acts of Defendants and is entitled to recover damages from Defendants in an amount to be determined at trial.

102. JetBlue is entitled to recover punitive damages from Defendants in an amount to be determined at trial.

SIXTH CLAIM FOR RELIEF
(For Violation of General Business Law § 360-1)

103. JetBlue repeats and realleges the allegations of Paragraphs 1 through 102 of this Complaint as if fully set forth herein.

104. The JETBLUE Marks have acquired secondary meaning, as consumers have come to know, rely upon and recognize JetBlue's services by reference to the JETBLUE Marks, and JetBlue has established valuable goodwill in the JETBLUE Marks and the JetBlue businesses operating under the JETBLUE Marks.

105. Defendants' foregoing acts create a likelihood of injury to JetBlue's business reputation and dilution of the distinctive quality of JetBlue's JETBLUE Marks or unfair competition in violation of New York General Business Law § 360-1.

106. Upon information and belief, Defendants' foregoing acts were in knowing and willful violation of New York General Business Law § 360-1.

107. JetBlue has been injured by Defendants' violations of New York General Business Law § 360-1.

108. Unless enjoined by the Court, Defendants will continue to violate New York General Business Law § 360-1, thereby causing immediate and irreparable injury, for which JetBlue has no adequate remedy at law.

109. JetBlue is entitled to an injunction restraining Defendants, their agents and employees, and all persons acting in concert with any one or more of them, from engaging in any of the foregoing acts or any further or different acts in violation of New York General Business Law § 360-1.

PRAYER FOR RELIEF

WHEREFORE, by the undersigned attorneys, JetBlue prays for relief as follows:

A. That this Court enter a permanent injunction enjoining Defendants, their officers, directors, employees, agents, subsidiaries, distributors, dealers, and all persons in active concert or participating with it from using the Infringing Mark, the JETBLUE Marks or colorable imitations thereof, or any other marks confusingly similar to the JETBLUE Marks, or likely to cause the dilution of the distinctiveness of the JETBLUE Marks, or otherwise injurious to JetBlue's reputation;

B. That this Court require, pursuant to 15 U.S.C. § 1118, Defendants to sequester, forfeit and deliver up for destruction all labels, signs, advertisements, or other materials bearing the Infringing Mark, the JETBLUE Marks or colorable imitations thereof, or any other marks confusingly similar to the JETBLUE Marks, or likely to cause the dilution of the distinctiveness of the JETBLUE Marks, or otherwise injurious to JetBlue's reputation that are in their possession, custody, or control, or in the possession, custody or control of any of their agents or representatives;

C. That JetBlue be awarded Defendants' profits attributable to their unlawful activity, as allowed by law, along with JetBlue's compensatory and punitive damages resulting from Defendants' unlawful acts set forth herein, in an amount to be proven at the time of trial, as allowed by law;

D. That JetBlue be awarded pre-judgment and post-judgment interest, costs, and reasonable attorneys' fees pursuant to, *inter alia*, 15 U.S.C. § 1117(a), Fed. R. Civ. P. 54(d) and applicable provisions of state law; and

E. Any such other and further relief as the Court deems just and proper.

JURY DEMAND

Defendant JetBlue respectfully demands trial by jury pursuant to Fed. R. Civ. P. 38(b) for all issues so triable.

Dated: New York, New York
June 21, 2019

FRANKFURT KURNIT KLEIN & SELZ, P.C.



By: _____

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EXHIBIT A

YEAR	AWARD	SOURCE
2019	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2019	America's Best Large Employers (#11 overall and #2 in transportation)	<i>Forbes</i>
2019	Highest in Overall Customer Satisfaction Among Airline Apps	<i>J.D. Power</i>
2019	Best Regional Business Class (North America)	<i>TripAdvisor Travelers' Choice Awards</i>
2019	Best in Passenger Comfort (North America)	<i>TripAdvisor Travelers' Choice Awards</i>
2019	Best Business Class White Wine	<i>Business Traveller Cellars in the Sky Awards</i>
2019	Best Seat Comfort in North America	<i>APEX</i>
2019	Best Wi-Fi in North America	<i>APEX</i>
2019	Best Domestic Airline	<i>LA Travel Magazine Readers' Choice Awards</i>
2019	Best Employers for Diversity (#1 in transportation, #40 overall)	<i>Forbes</i>
2019	Best User Experience among Mobile Sites & Apps	<i>The Webby Awards</i>

YEAR	AWARD	SOURCE
2018	Best Domestic Business Class	<i>The Points Guy Awards</i>
2018	Best Domestic Economy Class	<i>The Points Guy Awards</i>
2018	Best Airline for North American Travel	<i>Business Traveler USA</i>
2018	Best Inflight Wi-Fi	<i>APEX Passenger Choice Awards</i>
2018	Five-Star Airline	<i>APEX Passenger Choice Awards</i>
2018	Top U.S. Airline	<i>Forrester Research's 2018 Customer Experience Index</i>
2018	World's Top 10 Airlines for Branding & Desirability (#1 in USA and #6 in the world)	<i>GraphicSprings</i>
2018	Best Business Class – North America	<i>TripAdvisor Travelers' Choice Awards</i>
2017	Best Airline for North American Travel	<i>Business Traveler USA</i>
2017	Highest in Airline Loyalty Program Satisfaction	<i>J.D. Power</i>
2017	Best Places to Work for LGBT Equality	<i>Human Rights Campaign Corporate Equality Index</i>

YEAR	AWARD	SOURCE
2017	World's Best Awards – Best Domestic Airlines (#2 overall)	<i>Travel + Leisure</i>
2017	50 Best Places to Work (#3 overall)	<i>Indeed</i>
2017	Best Low Cost Airline in North America	<i>Skytrax</i>
2017	World's Best Low Cost Airline (#3 overall)	<i>Skytrax</i>
2017	America's Top 500 Best Employers (#12 overall and #1 transportation company)	<i>Forbes</i>
2017	Best U.S. Airline	<i>American Customer Satisfaction Index</i>
2017	Best Mid-Sized and Low Cost Airline in North America	<i>TripAdvisor Travelers' Choice Awards</i>
2017	Top 10 Best Airline In The World	<i>TripAdvisor Travelers' Choice Awards</i>
2016	Best Places to Work for LGBT Equality	<i>Human Rights Campaign Corporate Equality Index</i>
2016	America's Top 500 Best Employers (#8 overall and #1 transportation company)	<i>Forbes</i>
2016	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>

YEAR	AWARD	SOURCE
2016	Highest Ranked U.S. Airline	<i>Consumer Reports</i>
2015	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2015	America's Top 500 Best Employers (#19)	<i>Forbes</i>
2015	Best Places to Work for LGBT Equality	<i>Human Rights Campaign Corporate Equality Index</i>
2015	CIO 100 Award for Technology Innovation	<i>CIO Magazine</i>
2015	Best Up in the Air Initiative for In-Flight Tablets and Onboard Apple Pay	<i>Future Travel Experience Awards</i>
2015	Image of the Year Award for Transportation Industry Uniforms	<i>Image Apparel Institute</i>
2014	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2014	Airline Technology Leader of the Year	<i>Air Transport World</i>
2014	Best Places to Work for LGBT Equality	<i>Human Rights Campaign Corporate Equality Index</i>
2014	Airline of the Year	<i>ManAboutWorld magazine</i>

YEAR	AWARD	SOURCE
2013	International Airline Award – Best Service	<i>Jamaica Hotel & Tourist Association</i>
2013	Most Innovative Users of Business Technology	<i>Information Week</i>
2013	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2013	Best Terminal Experience / Friendliest Terminal / Best Terminal for Cleanliness and Condition / Best Concessions – JFK T5	<i>Port Authority of New York & New Jersey Customer Care Awards</i>
2012	Best Places to Work	<i>Glassdoor</i>
2012	Best Domestic Airline	<i>Porthole Cruise Magazine award</i>
2012	Best Innovative Consumer Experience Concept or Practice - Live From T5 Concert Series	<i>Airports Council International-North America (ACI-NA)</i>
2012	Ten Best Travel Apps of 2012	<i>SmarterTravel</i>
2012	The new jetblue.com – Best in Class, Gold Aware	<i>W³ Awards, The Interactive Media Awards</i>
2012	Best of the Web Mobile Leaders	<i>Compuware</i>
2012	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>

YEAR	AWARD	SOURCE
2011	Best Airline	<i>Logo TV's NewNowNext Travel Awards</i>
2011	Best Airline Website Booking Experience	<i>U.S. Air Travelers' Choice Award</i>
2011	Best U.S. Budget Airline	<i>About.com</i>
2011	Excellent Web Service 2010	<i>Compuware Gomez Web & Mobile Performance Awards</i>
2011	Best Value Airline (Domestic), Most Customer Friendly Airline, and Best Coach Class Experience	<i>Travel 2011 Editor's Choice Awards</i>
2011	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2010	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2010	Spot on list of Top Technology Innovators Across America	<i>Information Week 500</i>
2010	Top Rated Large Domestic Airline' for Economy and 'Best In-flight Entertainment' for Domestic Flights	<i>Zagat Airline Survey</i>
2010	Best Cabin Ambiance	<i>Passenger Choice Awards, Airline Passenger Experience Association (APEX)</i>
2010	#1 Airline Brand	<i>2010 Brand Keys Customer Loyalty Engagement Index</i>

YEAR	AWARD	SOURCE
2010	CIO 100 Award Honoree	<i>CIO Magazine</i>
2010	Best Concessions Program Design (T5/JFK)	<i>ARN's Best Airport and Concessionaires Awards</i>
2010	Most Unique Services (T5/JFK)	<i>ARN's Best Airport and Concessionaires Awards</i>
2010	Best Overall Concessions Program (T5/JFK)	<i>ARN's Best Airport and Concessionaires Awards</i>
2010	Best Concessions Management Team (T5/JFK)	<i>ARN's Best Airport and Concessionaires Awards</i>
2010	Best Coach-Class Experience	<i>SmarterTravel Editors' Choice Awards</i>
2010	Most Customer-Friendly Airline	<i>SmarterTravel Editors' Choice Awards</i>
2010	Most Pet-Friendly Airline for Carry-on Pets	<i>SmarterTravel Editors' Choice Awards</i>
2009	Best Airline Brand	<i>2009 Brand Keys Customer Loyalty Engagement Index</i>
2009	Best Environmental Campaign - Jetting to Green	<i>Cause Marketing Forum</i>
2009	Best Rated Large Domestic Airline in the Economy Category	<i>Zagat Airline Survey</i>

YEAR	AWARD	SOURCE
2009	#1 Airline Brand	<i>2009 Brand Keys Customer Loyalty Engagement Index</i>
2009	Richard A. Griesbach Award of Excellence Winner	<i>ACI-NA 2009 Airport Concessions</i>
2009	#1 U.S. Routes/Single-Class Service Airline	<i>Condé Nast Traveler</i>
2009	Top-Rated Large Domestic Airline - Economy Seating	<i>Zagat Airline Survey</i>
2009	Best In-Flight Entertainment - Domestic	<i>Zagat Airline Survey</i>
2009	5th Annual Extra Miles Awards	<i>Budget Travel Magazine</i>
2009	CIO 100 Award Honoree	<i>CIO Magazine</i>
2009	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2009	AIGA Corporate Leadership Award	<i>AIGA - The Professional Association for Design</i>
2008	Best Large U.S. Economy Class	<i>Zagat Airline Survey</i>
2008	Best Inflight Entertainment	<i>Zagat Airline Survey</i>

YEAR	AWARD	SOURCE
2008	Most Eco-Friendly	<i>Zagat Airline Survey</i>
2008	Silver Halo- Best Environmental Campaign - Jetting to Green	<i>Cause Marketing Forum</i>
2008	Best In-Seat Comfort	<i>SmarterTravel Readers' Choice Awards</i>
2008	Best Onboard Entertainment, Domestic Airline	<i>SmarterTravel 2008 Readers' Choice Awards</i>
2008	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2007	Best Domestic Airline	<i>Condé Nast Traveler Readers' Choice Awards</i>
2007	Top Low Cost Airline for Customer Satisfaction	<i>J.D. Power</i>
2007	Best North American Low Cost Airline	<i>Skytrax World Airline Awards</i>
2007	World's Most Reliable A320 Fleet	<i>Airbus Operational Excellence Awards</i>
2007	#1 Airline Brand	<i>2007 Brand Keys Customer Loyalty Engagement Index</i>
2007	Best Low Cost/No Frills Airline	<i>OAG, 2007 Airline of the Year Awards</i>

YEAR	AWARD	SOURCE
2007	Leading Provider of Domestic Airfare Deals	<i>Travelzoo Awards</i>
2007	Best U.S. Airline	<i>Airline Quality Ranking Survey</i>
2007	#2 rated airline	<i>University of Nebraska at Omaha Aviation Institute and W. Frank Barton School of Business at Wichita State University</i>
2007	Best Domestic Airline for Value	<i>Travel + Leisure, World's Best Values Awards</i>
2007	Most Admired Companies	<i>Fortune magazine, #3 rated airline</i>
2007	Best Airline for Customer Satisfaction	<i>Market Metrix</i>
2006	Best Domestic Airline	<i>Condé Nast Traveler, Readers' Choice Awards</i>
2006	Extra Mile Award (shut-eye/snack bar services)	<i>Frommer's Budget Travel</i>
2006	Top U.S. Airline for Consumer Demand	<i>Kanbay Research Institute 2006 Travel Demand Today Report</i>
2006	Best Domestic Airline	<i>Travel + Leisure World's Best Values Awards</i>

YEAR	AWARD	SOURCE
2006	Best Domestic Airline for Value	<i>Travel + Leisure, 2006 World's Best Values Awards</i>
2006	#1 Airline Brand	<i>2006 Brand Keys Customer Loyalty Engagement Index</i>
2006	Highest Low-Cost Carrier Customer Satisfaction	<i>J.D. Power</i>
2006	Best U.S. Airline	<i>Airline Quality Ranking Survey, University of Nebraska at Omaha Aviation Institute and W. Frank Barton School of Business at Wichita State University</i>
2006	Best Low Cost/No Frills Airline	<i>OAG Airline of the Year Awards</i>
2006	Best Airline Value	<i>Entrepreneur Magazine</i>
2006	Passenger Service Award	<i>Air Transport World Magazine</i>
2005	Best Value for Cost	<i>Condé Nast Traveler Business Travel Awards</i>
2005	Best Low-Cost Carrier	<i>Condé Nast Traveler Business Travel Awards</i>
2005	Best Domestic Airline	<i>Condé Nast Traveler Readers' Choice Awards</i>
2005	Best Airline for Economy Class	<i>Global Traveler magazine</i>

YEAR	AWARD	SOURCE
2005	Best Low-Cost Carrier	<i>Global Traveler magazine</i>
2005	#1 Airline Brand	<i>2005 Brand Keys Customer Loyalty Engagement Index</i>
2005	#2 Domestic Airline	<i>Zagat Airline Survey</i>
2005	Great Gay Marketing Award	<i>Out & About Travel Magazine Travel Awards</i>
2005	#10 Top Performing Medium Airline	<i>Aviation Week & Space Technology Magazine Top-Performing Companies</i>
2005	#17 Most Improved Medium Airline	<i>Aviation Week & Space Technology Magazine, 2005 Top-Performing Companies</i>
2005	#47 & 48 Reasons to Love Your Country	<i>GQ Magazine, "62 Reasons to Love Your Country"</i>
2005	Silver Award (JetBlue's Self-Service Check-In Kiosk)	<i>Business Week Magazine, 2005 Annual Design Awards</i>
2005	#25 JetBlue/Sky's The Limit	<i>Wired Magazine, The Wired 40 "masters of technology and innovation"</i>
2005	Best Branding	<i>The Association of Travel Marketing Executives (ATME), 2005 Atlas Awards</i>
2005	World's Best Low-Cost Airline	<i>Skytrax Airline of the Year Survey</i>

YEAR	AWARD	SOURCE
2005	#2 Airline in North America	<i>Skytrax Airline of the Year Survey</i>
2005	Top-Hospitality Airline	<i>Market Metrix Hospitality Index</i>
2005	Best Airline Quality	<i>The Wall Street Journal Airline Quality Survey</i>
2005	Best Airline Service	<i>The Associated Press, 2005 Annual Survey</i>
2005	Corporate Community Partnership Award	<i>American Red Cross</i>
2005	Best U.S. Airline Customer Satisfaction	<i>J.D. Power</i>
2005	Best Domestic Airline	<i>North American Travel Journalists Association</i>
2005	Best Value for Cost	<i>Condé Nast Traveler Business Travel Awards</i>
2005	Great Gay Marketing Award	<i>Out & About Travel Magazine Travel Awards</i>
2005	#10 Top Performing Medium Airline	<i>Aviation Week & Space Technology Magazine Top-Performing Companies</i>
2005	#17 Most Improved Medium Airline	<i>Aviation Week & Space Technology Magazine Top-Performing Companies</i>

YEAR	AWARD	SOURCE
2005	Silver Award (JetBlue's Self-Service Check-In Kiosk)	<i>Business Week Magazine Annual Design Awards</i>
2005	JetBlue/Sky's The Limit	<i>Wired Magazine, The 40 "masters of technology and innovation"</i>
2005	Best Branding	<i>The Association of Travel Marketing Executives (ATME) Atlas Awards</i>
2005	World's Best Low-Cost Airline	<i>Skytrax Airline of the Year Survey</i>
2005	#2 Airline in North America	<i>Skytrax Airline of the Year Survey</i>
2005	Top-Hospitality Airline	<i>Market Metrix Hospitality Index</i>
2005	Best Airline Quality	<i>The Wall Street Journal Airline Quality Survey</i>
2005	Best Airline Service	<i>The Associated Press Annual Survey</i>
2005	Corporate Community Partnership Award	<i>American Red Cross</i>
2005	Best U.S. Airline	<i>Airline Quality Ranking Survey, University of Nebraska at Omaha Aviation Institute and W. Frank Barton School of Business at Wichita State University</i>

YEAR	AWARD	SOURCE
2005	Best U.S. Airline Customer Satisfaction	<i>J.D. Power Reports, 2005 Airline Satisfaction Index Study</i>
2005	Best Domestic Airline	<i>North American Travel Journalists Association</i>
2004	#1 Airline Brand	<i>2004 Brand Keys Customer Loyalty Engagement Index</i>
2004	Best U.S. Service	<i>Business 2.0, 2004 Omaha Aviation Institute's Quality Ranking Survey</i>
2004	Best Corporate Service	<i>USTA/Eastern Corporate Service</i>
2004	Best U.S. Airline	<i>Airline Quality Ranking Survey, University of Nebraska at Omaha Aviation Institute and W. Frank Barton School of Business at Wichita State University</i>
2004	Best Domestic Airline	<i>Condé Nast Traveler, 2004 Readers' Choice Awards</i>
2004	Best Domestic Airline	<i>Condé Nast Traveler Business Travel Awards</i>
2004	Best Value for Cost	<i>Condé Nast Traveler Business Travel Awards</i>
2004	#2 Domestic Airline	<i>Travel & Leisure World's Best Awards</i>
2004	#2 Domestic Airline Service	<i>Travel & Leisure World's Best Service Readers' Poll Awards</i>

YEAR	AWARD	SOURCE
2004	Best Domestic Airline	<i>North American Travel Journalists Association, 5-Star Award</i>
2004	North America's Leading Budget Airline	<i>11th Annual World Travel Awards</i>
2004	Top 5 Domestic Airline	<i>Departures Readers' Favorite Survey</i>
2004	Best Low Cost Carrier in the World	<i>Global Traveler Magazine</i>
2004	Best Low Cost Carrier (Second Place)	<i>Executive Travel Magazine</i>
2004	Best in Executive Travel	<i>Executive Travel Magazine</i>
2004	Airline Excellence Award, North America	<i>Skytrax, 2004 Airline of the Year Survey</i>
2004	Best Low Cost Airline	<i>Skytrax Airline of the Year Survey</i>
2004	Best Cabin Staff, North America	<i>Skytrax Airline of the Year Survey</i>
2004	Best Airline	<i>New York Press, Best of Manhattan Readers' Poll</i>
2004	Favorite U.S. Airline	<i>Salon.com, Readers' Choice</i>

YEAR	AWARD	SOURCE
2004	Most Wanted List	<i>Gotham</i>
2004	Best Company in North America	<i>Global Finance Magazine</i>
2004	Best CFO (John Owen)	<i>Institutional Investor Magazine</i>
2004	Airline Customer Loyalty Award	<i>Brandweek</i>
2004	Corporate Service Award	<i>United States Tennis Association, Eastern Corporate Service Award</i>
2003	Best Domestic Airline	<i>Condé Nast Traveler, 2003 Readers' Choice Awards</i>
2003	Best Value for Cost	<i>Condé Nast Traveler, 2003 Readers' Choice Awards</i>
2003	Best Domestic Airline	<i>North American Travel Journalists Association, Five-Star Award</i>
2003	#1 Airline Brand	<i>Brand Keys Customer Loyalty Engagement Index</i>
2003	#2 Domestic Airline	<i>Travel & Leisure World's Best Awards</i>
2003	Top 5 Domestic Airline	<i>Departures, Readers' Favorite Survey</i>

YEAR	AWARD	SOURCE
2003	#3 World's Best Low Cost Airline (Best U.S. Low Cost Airline)	<i>Business Traveler World's Best Airlines Awards</i>
2003	Best Budget Airline	<i>10th Annual World Travel Awards</i>
2003	Best US Airline (Non-Major)	<i>Business Travel News Airline Survey</i>
2003	Best Low Cost Airline	<i>Entrepreneur Magazine</i>
2003	Best Low Cost Airline	<i>Skytrax Airline of the Year Survey</i>
2003	Best Cabin Staff, North America	<i>Skytrax Airline of the Year Survey</i>
2003	Airline of the Year	<i>Airfinance Journal Deal of the Year</i>
2003	North American Corporate Finance Deal of the Year	<i>Airfinance Journal Deal of the Year</i>
2003	Airline Customer Loyalty Award	<i>Brandweek</i>
2003	IPO of the Year	<i>Corporate Finance Magazine</i>
2003	Marketing Award	<i>Airline Business Strategy Award</i>

YEAR	AWARD	SOURCE
2003	Editors' Choice	<i>Travel-Holiday</i>
2003	Outstanding Inflight Entertainment	<i>Onboard Services Onboard Services Awards</i>
2003	Outstanding Safety Video	<i>Onboard Services Onboard Services Awards</i>
2002	Best Domestic Airline	<i>Condé Nast Traveler, 2002 Readers' Choice Awards</i>
2002	Best Domestic Airline, coach	<i>Condé Nast Traveler, 2002 Readers' Choice Awards</i>
2002	Best Domestic Airline, Value For Cost	<i>Condé Nast Traveler, 2002 Readers' Choice Awards</i>
2002	Best Domestic Airline	<i>North American Travel Journalists Association, Five-Star Award</i>
2002	#2 Domestic Airline	<i>Travel and Leisure, 2002 World's Best Awards</i>
2002	Best Low-Cost Carrier (Runner-Up)	<i>Business Traveler Best in Business Travel Awards</i>
2002	"It" Airline	<i>Entertainment Weekly It List</i>
2002	Editor's Choice	<i>Worth</i>

YEAR	AWARD	SOURCE
2002	Marketer of the Year	<i>Advertising Age</i>
2002	#4 Brand of the Year	<i>brandchannel.com, 2002 Readers' Choice</i>
2002	Finance Award	<i>Airline Business Airline Strategy Awards</i>
2002	Market Development Award	<i>Air Transport World Industry Achievement Awards</i>
2002	Best Overall Airline	<i>Onboard Services Onboard Service Awards</i>
2002	Best Inflight or Onboard Service	<i>Onboard Services Onboard Service Awards</i>
2002	Best Onboard Entertainment	<i>Onboard Services Onboard Service Awards</i>
2002	Best Uniforms (2nd Place)	<i>Onboard Services, 2002 Onboard Service Awards</i>
2001	Best Domestic Airline, Coach	<i>Condé Nast Traveler Business Travel Awards</i>
2001	Best Domestic Airline	<i>North American Travel Journalists Association, Five-Star Award</i>
2001	#2 Domestic Airline	<i>Condé Nast Traveler Reader's Choice Awards</i>

YEAR	AWARD	SOURCE
2001	#2 Domestic Airline	<i>Zagat Airline Survey</i>
2001	Best New Airline	<i>Money</i>
2001	Favorite U.S. Airline	<i>Orange County Register/Knight Ridder</i>
2001	Seal of Approval	<i>Diversions</i>
2001	"A" Rating	<i>Planetfeedback</i>
2001	#2 Airline	<i>Epinions.com</i>
2000	"It" Airline	<i>Vanity Fair It List</i>